Congressional Research Service

August 25, 2005

TO: Honorable Charles Rangel
Attention: Nick Gwyn

FROM: Emilie Stoltzfus
Specialist in Social Legislation
Domestic Social Policy Division

SUBJECT: **Race/Ethnicity and Child Welfare**

This memorandum responds to your request for information on disproportionate representation of African American children in the child welfare system.[1] It also includes some discussion of disproportionate representation of other racial/ethnic groups of children in child welfare. Overall the memo discusses the meaning of disproportionate representation, summarizes some research on the topic, and describes disproportionate representation using the most recent available administrative data (FY2003). I trust the information will be useful. If you have additional questions please don't hesitate to call (7-2324) or e-mail me.

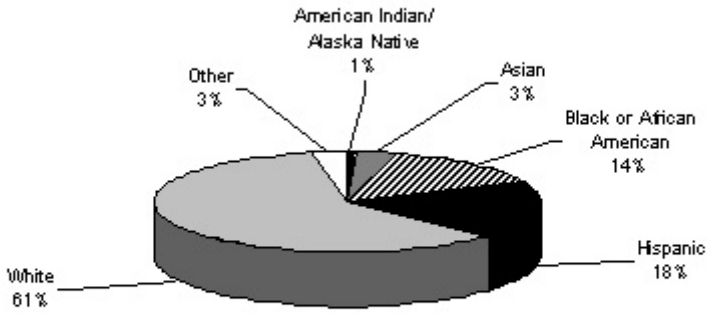
What Is Disproportionate Representation?

Disproportionate representation means that when compared to their presence in the overall relevant population, a given racial/ethnic group is *over*- or *under*- represented in the specific population of interest.[2] For instance, the 2000 Census shows that African American children make up less than 15% of the overall child population but the most recent data available showed that 27% of the children who entered foster care during FY2003 were African-American and that on the last day of FY2003, 35% of the children in foster care were African-American. Disproportionate representation may also suggest *under*-representation in the child welfare system. For example, Asian children represent more than 3% of the overall child population according to the 2000 Census yet they accounted for less than 1% of both the children entering care during FY2003 (0.9%) and of the children who were in

[1] The terms "Black" and "African American" are used interchangeably in this memorandum.

[2] When possible the race/ethnicity categories used herein are exclusive. Hispanic children may be of any race and children who are reported as Black, White, Asian (or in any other race group) are not Hispanic. This is also the method used by the U.S. Department of Health and Human Services (HHS) when presenting Adoption and Foster Care Analysis Reporting System (AFCARS) data.

Figure 1. All children in the population, by race/ethnicity

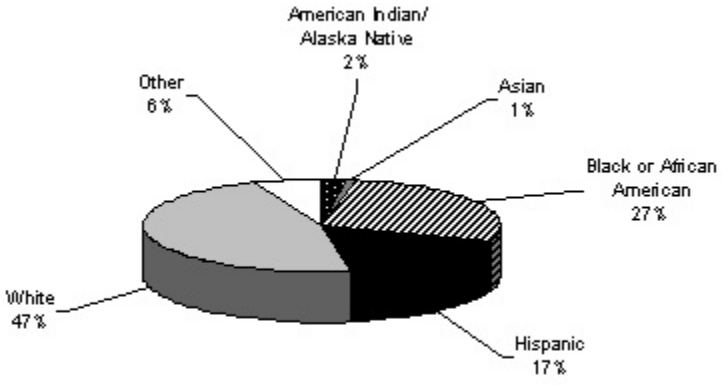


Source: U.S. Census Bureau, 2000 Census. All children includes, individuals under age 18 in the 50 states, the District of Columbia and Puerto Rico.

care on the last day of FY2003 (0.6%).[3] **Figures 1, 2** and **3** show the proportion of children of a given race/ethnicity in the total population compared to their share of the children entering foster care during FY2003 and their share of the total foster care population on the last day of FY2003. (These same data are shown in greater detail in **Appendix A**, **Table A-1**.)

The national data show that Black and American Indian/Native American children are approximately twice as likely to be a part of the population of children *entering* foster care as they are to be a part of the general child population. For Black children this disproportion increases when the comparison is between the share of Black children in the general child population versus those remaining in foster care on the last day of the fiscal year. Further, Asian children may be significantly under-represented in the group of children entering foster care and those in foster care on the last day of the fiscal year, compared to their presence in the total child population. To a lesser degree, White children are also under-represented in the group of children who are entering

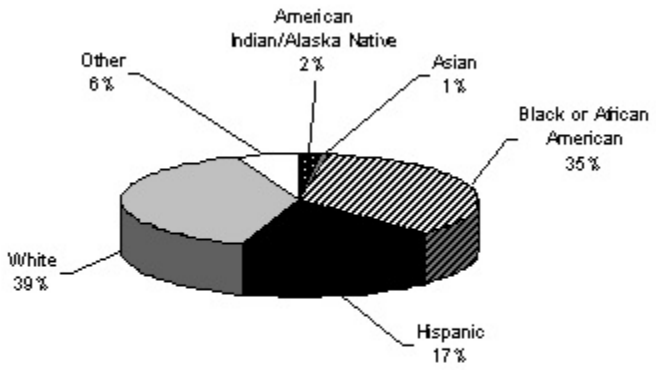
Figure 2. Children Entering Foster Care during FY2003, by race/ethnicity



Source: U.S. Department of Health and Human Services (HHS) from the Adoption and Foster Care Analysis Reporting System (AFCARS), FY2003 data.

[3] The total population referred to includes individuals under the age of 18 in all 50 states, the District of Columbia and Puerto Rico. Puerto Rico is included in the general child population because the foster care data used in this report include that jurisdiction.

Figure 3. Children in foster care on the last day of FY2003, by race/ethnicity



Source: U.S. Department of Health and Human Services (HHS), from the Adoption and Foster Care Analysis Reporting System (AFCARS), FY2003 data.

foster care or in foster care, as compared to their presence in the total child population. Finally, Hispanic children appear to be represented at relatively equal proportions in all three populations.

These figures (and the accompanying **Table A-1**) should be read with some measure of caution, however, as a variety of studies show variation in disproportionate representation of children of color across state and/or county boundaries. For instance, a single county study in California (Santa Clara) showed that while Latino children constituted 30% of the population, they made up 52% of the county's child welfare cases. At the same time, statewide California data showed equal proportions of Hispanic children in the California child population (42%) and among children entering foster care for the first time in 2001 (42%), and a somewhat smaller share of Hispanic children in the overall foster care population (34%).[4] In New York, about 18% of the state's child population is Black, but in FY2003 Black children represented close to 42% of all children who entered foster care in the state and 47% of the children in care on the last day of FY2003.[5] A 2004 study in King County, Washington found that while Black children represented just 7% of the population, they constituted 19% of the investigated referrals alleging maltreatment, 23% of the new placements into foster care, and 39% of the children who were in the system for at least four years.[6]

---

[4] A.M. Hines, et al., "An Evaluation of Factors Related to Disproportionate Representation of Children of Color in Santa Clara County's Child Welfare System," paper submitted to the Santa Clara County, California Department of Social Services, Children and Families Division, Mar. 30, 2001 (cited in A.M. Hines, et al., "Factors Related to the Disproportionate Involvement of Children of Color in the Child Welfare System," *Children and Youth Services Review* 26 (2004): 507-527); and Barbara Needall, et al., "Ethnicity and Child Welfare Services in California," presentation at the National Association of Welfare Research and Statistics, Albuquerque, NM, 2002.

[5] Population data for New York state are taken from 2000 Census; data on children entering foster care and in foster care are from the U.S. Department of Health and Human Services, Adoption and Foster Care Analysis Reporting System (AFCARS). Children in New York City comprise the majority of the New York state caseload (estimated 60%) and about 29% of all children in NYC are Black. Even recognizing these facts however, the disproportion appears to remain large.

[6] "Executive Summary of Research Report: Racial Disproportionality in the Child Welfare System in King County, Washington," available online at [http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/KingCountyReportonRacialDisproportionalityExecutiveSummary.pdf].

Finally, the national administrative data strongly suggest that discussion of disproportionate representation of "children of color" may be misleading if the presumption is that all "children of color" are *over-represented*. The patterns of disproportionate representation suggested for Black, White and Hispanic children in these administrative data are distinct (although closer for White and Hispanic). At least in broad strokes these specific race/ethnicity patterns have been borne out by a number of more statistically sophisticated analyses of child maltreatment, foster care and adoption data. At the same time, such research also indicates that significant variations can exist by state, metropolitan area or county. Research on the patterns of disproportion for Asian or American Indian children is quite limited.

Why Does this Disproportionate Representation Exist?

Theories about racial disproportion in child welfare include: disproportionate need (children of color are more likely to be in poor or in single-parent homes, both of which are risk factors for maltreatment); disproportionate attention (children of color are more likely to come into contact with social service or other workers who notice and report child maltreatment); biased decision-making (e.g., children of color are more likely to be reported by such social service workers than are White children or are less likely to be reunified); and fewer community resources (e.g., children of color have less access to necessary services that prevent placement or promote faster permanency).[7] These theories need not be mutually exclusive and they could certainly operate differently in different places.

The National Incidence Survey (NIS), which collects survey data in an effort to measure all child maltreatment (not just those cases reported to Child Protective Services), has consistently found no direct link between race and the incidence of maltreatment in the general population.[8] However, living in a family that is poor and living in a family that is headed by a single-parent have been identified as risk factors for child maltreatment.[9] In 2003, 34% of Black children were poor compared to 30% of Hispanic children and just over 9% of White children. In addition, most Black children lived in single female-headed families (55%), much higher than both the 25% of Hispanic children who lived in single-

---

[7] See varying discussions and categories in U.S. Department of Health and Human Services, Administration for Children, *Children of Color in the Child Welfare System: Perspectives from the Child Welfare Community* (Dec. 2003), pp. 4-5; Barbara Needall, et al., "Black Children in Foster Care and Placement in California," *Children and Youth Services Review* 25 (2003): 393-408; and A. M. Hines, et al., "Factors Related to the Disproportionate Involvement of Children of Color in the Child Welfare System: A Review and Emerging Themes," *Children and Youth Services Review* 26 (2004): 507-527.

[8] Cited in John Fluke, Ying-Ying Yuan, et al., "Disproportionate Representation of Race and Ethnicity in Child Maltreatment: Investigation and Victimization," *Children and Youth Services* 25 (2003) 5/6: 359-374, p. 360. The NIS has been conducted three times, with the most recent survey conducted in 1993; a current survey (NIS-4) is scheduled to begin collecting data in September and to continue through June 2006.

[9] Andrea Sedlak and Diane Broadhurst, *Third National Incidence Study of Child Abuse and Neglect, Final Report*, (U.S. Department of Health and Human Services, 1996), pp. 5-4 – 5-16; Christina Paxson and Jane Wadefogel, "Parental Resources and Child Abuse and Neglect," *The American Economic Review* 89 (May 1999): 239-244 and Lawrence Berger, "Income, Family Structure, and Child Maltreatment Risk," *Children and Youth Services Review* 26 (2004): 725-748.

female-headed families and the 16% of White children who lived in such households.[10] These data certainly suggest many Black (and Hispanic) children are at higher risk for child maltreatment. At the same time, while Hispanic children are just as likely to be living in poor families as are Black children, they do not have the same disproportionate representation in the child welfare system.[11] The difference in family structure is a possible risk factor that might need more study.[12]

With regard to biased decision-making at least one study has found that workers in hospitals are more likely to require a drug test of pregnant Black women than of White women.[13] Disproportionate and/or biased reporting of suspected child maltreatment could result in greater numbers of Black children coming into the child welfare system. Once in the child welfare system a whole series of decisions could compound this disproportionate entry rate. The following discussion looks at some of the decision points in child welfare, paying particular attention to the experience of Black children.

Pathway to Black Over-Representation

The research about racial disproportion is growing but remains inconclusive on many points. At the same time, there does seem to be consistency in a variety of reports that show Black children as over-represented at various points in the child welfare system and that this disproportion appears to grow the longer a child is in foster care. The over-representation may happen at several entry points (e.g., referrals for child maltreatment investigations, decision to place child victim in foster care) and can grow based on certain patterns of exit from foster care (e.g., Black children are less likely to leave care for reunification). Finally the kind of services and case planning done on behalf of children may also affect their level of representation (e.g., greater reliance on kin).

---

[10] CRS Report 95-1041 EPW, *Poverty in the United States: 2003,* by Thomas Gabe, p. 4.

[11] A recent study comparing findings of child maltreatment among U.S. Army families and those findings reported via National Child Abuse and Neglect Data System (NCANDS) may also suggest the importance of not only income, but also other social supports and resources (e.g., housing, community services to address family and other problems). While the overall rate of child victimization was similar in both the Army and civilian cases, the Army cases were much less likely to involve neglect and Blacks were much less likely to be found as victims. The rate of Black victims in the NCANDS data (1999) was 25.2 per 1000 black children in the population compared to the Army rate of 8.1 Black victims per 1000 black children in the population. See James McCarroll, et al., "Comparison of U.S. Army and Civilian Substantiated Reports of Child Maltreatment," *Child Maltreatment* 9 (February 2004) 1: 103-110.

[12] The significance of family structure to *reunification* of foster care children is suggested by Marian Harris and Mark Courtney in "The Interaction of Race, Ethnicity and Family Structure with Respect to Timing of Family Reunification." *Children and Youth Services Review* 25 (2003)5/6: 409-429. This study found that among single parent families, being Black was associated with a significant disadvantage in the timeliness of family reunification compared to being White or Hispanic. Also it found that among two-parent families being Hispanic conferred a significant advantage in the timeliness of family reunification compared to being African American or White.

[13] See discussion of research on this issue in U.S. Department of Health and Human Services, Administration for Children, *Children of Color in the Child Welfare System: Perspectives from the Child Welfare Community* (December 2003), p. 4-5, 23-24. Hereafter referred to as *Children of Color: Perspectives from the Child Welfare Community.*

Entry points. Research and other data suggest that investigations of alleged child maltreatment are more likely to involve Black children as potential maltreatment victims and that, compared to their presence in the general population, black children are disproportionately represented among the children who are found to be victims of child maltreatment.[14] The rate of White victims of child abuse or neglect was 11.0 per 1,000 White children in the general population while the comparable rate for Black children was 20.4.[15] At the same time, at least one large five-state study has shown that the race/ethnicity of victims is largely in proportion to the population of children investigated. This suggests that the community of reporters, (e.g., family, friends, and neighbors, and social service, medical and school personnel) tends to over-report Black children but that once the decision to investigate is made, race/ethnicity is not an important factor in the determination of maltreatment. Nonetheless, because Black children are over-represented in the population of children *investigated*, a proportionate victim determination means Black children will make up a larger share of child maltreatment victims than their share of the general child population.[16]

Beyond the allegation of and subsequent finding of child maltreatment, however, the decision to place a child in foster care versus providing in-home services or no services is also critical. Analysis of the National Child Abuse and Neglect Data System (NCANDS) has for several years shown that children who are Black are more likely to be removed from their homes than are White children. (For 2003, Black child maltreatment victims were 36% more likely to receive foster care services than were White victims.)[17] Separate analysis of NCANDS data that looked at race/ethnicity, area poverty rate, and age in relation to removals, found that the risk of removal was highest for all income groups and race/ethnicities for children under age one. At the same time, Black infants living in counties with high poverty rates had a removal rate of 50 per 1000 black children in the population. This appears to leave them extraordinarily vulnerable compared to their Hispanic and White counterparts who had removal rates of 13 and 10 per 1000 children of their respective race/ethnic groups.[18] Finally, race/ethnicity was found to vary significantly as a function of the type of case (in-home versus foster care) included in the aggregate sample of cases drawn for the initial round of Child and Family Services Reviews (CFSRs). Black children (as well

---

[14] John Fluke, Ying-Ying Yuan, et al., "Disproportionate Representation of Race and Ethnicity in Child Maltreatment: Investigation and Victimization," *Children and Youth Services* 25 (2003): 359-374 and Barbara Needall, et al., "Black Children and Foster Care Placement in California," *Children and Youth Services* 25 (2003): 393-410.

[15] U.S. Department of Health and Human Services, *Child Maltreatment 2003* (April 2005), Table 3-9. American Indian/Alaska Native and Pacific Islander children had the highest maltreatment rates (21.3 and 21.4 respectively). The victim rate among Hispanic children was 9.9 per 1000 and for Asian children 2.7 per 1000.

[16] John Fluke, Ying-Ying Yuan, et al., "Disproportionate Representation of Race and Ethnicity in Child Maltreatment: Investigation and Victimization," *Children and Youth Services* 25 (2003): 359-374.

[17] U.S. Department of Health and Human Services *Child Maltreatment 2001* (April 2003), *Child Maltreatment 2002* (April 2004), *Child Maltreatment 2003* (April 2005).

[18] Fred Wulczyn, Richard Barth, Ying-Ying Yuan, Brenda Jones Harden, John Landsverk, *Beyond Common Sense: Child Welfare, Child Well-Being, and the Evidence for Policy Reform* (New Brunswick: Transaction Press, 2005), p. 72. The researchers note that because of a lack of specificity in the data they analyzed they are not able to say whether this group is exclusively Black or whether it may include children who identify as both Hispanic and Black.

as American Indian/Alaska Native children) were significantly more likely to be among the foster care cases reviewed than to be among the in-home cases reviewed.[19] In sum, the disproportionate representation of Black children at several entry decision points is consistent with their disproportionate representation among the population entering foster care.

Exit points. Once children enter foster care there are many more decision points which may compound or reduce this disproportion. In the case of Black children, the disproportion appears to grow. When compared to their representation in the total population, on any given day, the population of children in foster care (regardless of the year they entered) is much more likely to be Black. While it is well established that children who are reunified with their parents leave foster care quickest, Black children are far less likely to exit foster care via reunification than are White children. In addition, while adoption is generally viewed as a positive exit outcome, it is relatively time consuming. Recent research indicates that the likelihood of adoption for Black children has increased, even surpassing the likelihood of adoption for White children. At the same time it suggests that the process of adoption for Black children takes longer than it does for White children.[20]

Table 1 shows the share of children in a given race/ethnicity who exited foster care during FY2000 and FY2003 by their exit outcome. Across all race/ethnicity groups the most common exit outcome is reunification with parent(s). However, Black children are the only group for which this reason for discharge represents less than half of all exits (47% in FY2003). By contrast, the second most common exit from foster care is adoption and a larger share of Black children exited foster care in this way (20% in FY2003) than is true of any other race/ethnic group.

---

[19] "General Findings from the Federal Child and Family Services Review" no date, no author. Hereinafter cited as "General Findings from the CFSR." Available on Children's Bureau web site [http://www.acf.dhhs.gov/programs/cb/cwrp/results/statefindings/genfindings04/genfindings04.pdf].

[20] Fred Wulczyn, "Closing the Gap: Are Changing Exit Patterns Reducing the Time American American Children Spend in Foster Care Relative to Caucasian Children," *Children and Youth Services Review* 25 (2003): 431-462.

Table 1. Share of Children Exiting Foster Care by Race/ethnicity and Discharge Reason, FY2000 and FY2003

Hispanic children may be of any race; All race categories exclude children of Hispanic ethnicity

	American Indian/ Alaska Native		Asian		Black		Hispanic		White		Native Hawaiian/ Other Pacific Islander	
	FY00	*FY03*	*FY00*	*FY03*	*FY00*	*FY03*	*FY00*	*FY03*	*FY00*	*FY03*	*FY00*	*FY03*
Reunification	61%	56%	72%	70%	47%	47%	60%	59%	58%	56%	57%	60%
Live with Other Relative	7%	8%	3%	3%	12%	13%	5%	9%	9%	11%	1%	3%
Adoption	10%	14%	8%	12%	21%	20%	16%	17%	14%	16%	18%	14%
Guardianship	5%	6%	3%	3%	3%	4%	4%	4%	3%	4%	9%	9%
Emancipation	3%	5%	7%	7%	8%	10%	6%	6%	7%	7%	8%	7%
Other	14%	11%	7%	5%	8%	7%	9%	6%	9%	6%	6%	5%

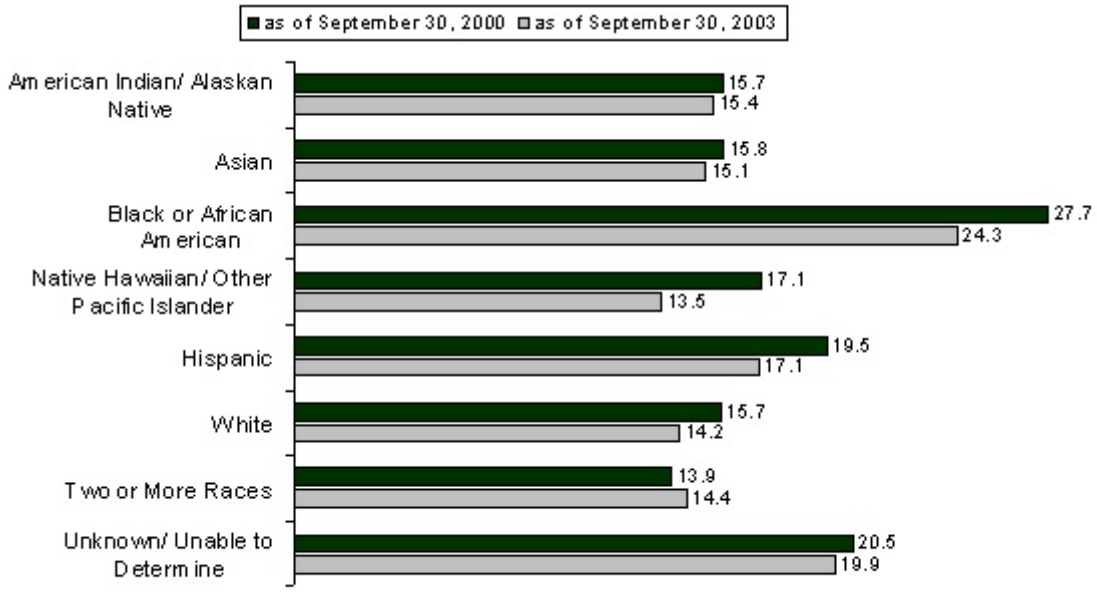
Source: Table prepared by the Congressional Research Service (CRS) based on state-reported Adoption and Foster Care Analysis Reporting System (AFCARS) data provided by the U.S. Department of Health and Human Services. AFCARS data for FY2000 are as reported by 51 jurisdictions (as of Feb. 2004) and for FY2003 are as reported by 52 jurisdictions (as of April 2005).

a. Other includes discharges for "transfer to another agency," "death of children, and "runaway," as well as children for whom the discharge data were missing.

The combination of reduced likelihood of reunification and increased likelihood of adoption (with longer stay) contributes to much longer lengths of stay in foster care for Black children. **Figure 1** (next page) illustrates this. On the last day of FY2000 the median length of stay for Black children in foster care was considerably more than two years (27.7 months) and had declined to just over two years (24.3 months) by the last day of FY2003. Children in every other race/ethnic group had considerably shorter median lengths of stay. In addition, the average length of stay for Black children on the last day of FY2003 (40.7 months) was far in excess of the average length of stay for either White children in foster care on that day (24.4 months) or Hispanic children (29.3 months).

Figure 4. Median Length of Stay in Foster Care (in months), by Race/ethnicity

Hispanic children may be of any race; all race categories exclude children of Hispanic ethnicity



Source: Figure prepared by the Congressional Research Service (CRS) based on state-reported Adoption and Foster Care Analysis Reporting System (AFCARS) data provided by the U.S. Department of Health and Human Services. AFCARS data for FY2000 are as reported by 51 jurisdictions (as of February 2004) and for FY2003 are as reported by 52 jurisdictions (as of April 2005).

Analysis of the aggregate (national) sample of cases reviewed during the initial round of Child and Family Services Reviews (CFSRs) lends support to the concern that Black children in the child welfare system experience less placement stability and delayed permanent placement. The analysis found that cases involving children who were White or Hispanic were more likely to be rated as having "substantially achieved" a permanent and stable living situation for the child than were cases involving Black, Alaska Native/American Indian or Asian/Pacific Islander children.[21] Case reviewers examined case documents and talked to children, parents, case workers, and service providers to determine whether an outcome was substantially achieved. In determining whether the child welfare agency had substantially achieved permanence and stability in a child's living situation, the reviewers looked at whether or not the child had entered foster care more than once, how frequently the child's placement setting had changed, whether an appropriate case goal was established and finally whether it was achieved on a timely basis.

At the same time, this analysis showed that cases involving children who were White or Black were significantly *more* likely than those involving Alaska Native/American Indian or Asian/Pacific Islander children to have been rated as substantially achieving the outcome "families have enhanced capacity to meet children's needs." In determining whether the child welfare agency had substantially achieved this outcome, the reviewers looked at if, and how well, the agency had assessed the service needs of the child, parents, and foster parents;

[21] General Findings from the CFSR, pp. 33-34.

checked to see if the child and parents were involved in case planning; and assessed the frequency and quality of caseworker visits with the child and the parents.[22]

No significant relationship between a rating of substantial achievement of the outcome and the race/ethnicity of children was found for the remaining five outcomes reviewed during the CFSR. These outcomes were related to safety (children are protected from abuse and neglect and are safely maintained in their homes whenever appropriate or possible), continuity of family relationships and connections, receipt of appropriate services to meet education needs and reciept of adequate services to meet mental health needs. [23]

Placement Types. The use of kin or relatives to provide foster care for Black children has sometimes been cited as a reason for their longer stays in foster care. Recent administrative data suggest a difference in the share of children living in relative foster family homes by race/ethnicity. On the last day of FY2003, the shares of Black and Hispanic children who were living in a relative foster family home were approximately 26% for each group while the share of White children with this placement type was just above 19%. However, use of kin has grown in popularity among child welfare agencies and this difference in placement types may be changing. The National Survey of Child and Adolescent Wellbeing (NSCAW), which looked at a nationally representative sample of foster care children who had been in care for approximately one year (circa 700 children), found that Hispanic children were most likely to be placed with kin (48%) compared to 32% of the Black children in the sample and 27% of the White children.[24]

The NSCAW survey of children in foster care also found that the primary kind of maltreatment experienced by children in the one-year in foster care sample varied significantly by race/ethnicity. The Black children in this sample were more likely to have experienced "failure to supervise" (a category of neglect that includes leaving a child without supervision for a period of time, abandonment, and poor home environment), while Hispanic children were more likely to have experienced physical abuse (and least likely to experience the neglect category "failure to provide"), and White children were more likely to have experienced sexual abuse.[25] Further, while the study found that race/ethnicity was not a significant factor in determining the level at which children in the sample scored in the clinical range on a variety of development measures (e.g., social skills), it did show a significant difference in the level of clinical scores between the Black children in foster care for one year and Hispanic children in care for this same time period. A significantly lower proportion of Hispanic children scored in the clinical range on these measures than did Black children. These findings are descriptive but may suggest both different levels of resources (income, community, other) at the time a child comes into care as well as potentially different need for services in care.[26]

---

[22] CRS Report RL32968, *Child Welfare: State Performance on Child and Family Services Reviews*, by Emilie Stoltzfus, see p. 5 and p. 8 (**Table 3**).

[23] General Findings from the CFSR, pp. 33-34.

[24] U.S. Department of Health and Human Services, *National Survey of Child and Adolescent Well-Being: One Year in Foster Care Wave 1 Data Analysis Report* (Nov. 2003), p. 49. Hereinafter, USDHHS, NSCAW, *One Year in Foster Care,* 2003.

[25] USDHHS, NSCAW, *One Year in Foster Care,* 2003, pp. 41-48.

[26] USDHHS, NSCAW, *One Year in Foster Care,* 2003, pp. 60-62

Social Welfare Worker Perspectives on Disproportionate Representation

A recent survey of child welfare agency administrators, supervisors, workers and others was funded by the U.S. Department of Health and Human Services (HHS) and sought to provide information on what child welfare workers themselves believed to be the factors causing disproportionate representation of children of color. Participants cited poverty and related concerns (e.g., unemployment, homelessness), a lack of community and other resources (e.g., disorganized communities and too few services to address needs related to substance abuse, domestic violence, or parenting skills), greater visibility of minority families for reporting of child maltreatment, a lack of experience with other cultures and lack of familiarity regarding what constitutes abusive behavior across these cultures (e.g., worker bias about corporal punishment or about how the home or neighborhood in which a child lives should look) and media pressure to remove children from homes.[27]

This survey, and a separate, independent survey of family preservation workers, both identified the Adoption and Safe Families Act (ASFA, P.L. 105-89) as significant to the experience of children of color vis a vis the child welfare system and both give a mixed assessment of the policy promoted in the law. Among the positive aspects of ASFA identified by respondents were its importance in ensuring services were delivered earlier (both because the time lines caused workers to assess needs and provide services more quickly and forced families to comply more quickly), a stronger reliance on kin providers, and increased focus and attention to adoption.

Respondents in both surveys, however, also criticized the ASFA time lines (regarding achieving timely permanency) as too constrictive for some families where substance abuse or mental health issues might require lengthy services before reunification could be achieved or where the need for job training for the care giver or the incarceration of a parent might similarly extend the length of time needed to achieve reunification. Similarly while respondents in the survey of family preservation workers praised increased attention to kin care, they also expressed concern that the heightened focus on certain permanency outcomes might overburden some kin care givers. Where previously a kin care giver was valued as a care resource, now the law seems to push this provider toward either adoption or guardianship and these family preservation workers were uncertain that such arrangements would offer the necessary financial or other supports to kin care givers. In addition, respondents were critical of "concurrent planning" which suggests that a child welfare agency may simultaneously work to reunify a child while putting in place other permanency plans (e.g., adoption); they found this more a "good theory" than a practical possibility. Other concerns cited by family preservation workers include perceived reduction in attention to reasonable efforts to prevent placement or achieve reunification, the overuse of group homes, and rising rates of termination of parental rights and adoption disruptions.[28]

---

[27] *Children of Color in the Child Welfare System: Perspectives from the Child Welfare Community,* pp. 19-28.

[28] Carla Curtis and Ramona Denby, "Impact of the Adoption and Safe Families Act (1997) on Families of Color: Workers Share Their Thoughts," *Families in Society* 85 (2004): 71-79 and *Children of Color in the Child Welfare System: Perspectives from the Child Welfare Community*, pp. 31-33.

Most if not all of these issues, whether identified as positive or negative consequences of ASFA would appear to affect all children and families who are served by the child welfare system. However, if Black children are disproportionately represented then they may experience a disproportionate amount of the negative (and positive) consequences. Further because of the particular pattern of disproportion — i.e., Black child victims more likely to be placed in care and once in foster care, less likely to be reunified — the real or perceived reduced attention to family preservation might exacerbate their disproportionate representation in the child welfare system.

Appendix A

Table A-1. Racial/Ethnic Disproportion In Foster Care, FY2003

Race/ethnicity[a]	Total child population (for the 50 states, D.C. and P.R.)		Children entering foster care during FY2003		Children in foster care on the last day of FY2003	
American Indian/ Alaska Native	686,040	0.9%	6,751	2.3%	10,264	2.0%
Asian	2,420,836	3.3%	2,638	0.9%	3,282	0.6%
Black	10,611,455	14.5%	80,297	27.0%	184,479	35.3%
Hispanic	13,423,681	18.3%	51,179	17.2%	91,042	17.4%
White	44,034,953	60.0%	137,341	46.2%	203,917	39.0%
Other[b]	2,208,948	3.0%	19,102	6.4%	30,101	5.8%
Total	**73,385,913**	**100%**	**297,308**	100%	**523,085**	100%

Source: Table prepared by Congressional Research Service (CRS) based on total child population (under age 18) reported in the 2000 Census (for all 50 states, the District of Columbia and Puerto Rico) and FY2003 Adoption and Foster Care Analysis Reporting System (AFCARS) data provided by the U.S. Department of Health and Human Services and as reported by all 50 states, D.C. and P.R. (as of April 2005).

a. As categorized in this table, race and Hispanic ethnicity are mutually exclusive. All race categories *exclude* any child reporting Hispanic ethnicity; children included in the Hispanic category may be of any race.

b. The category "Other" includes children reported as "Native Hawaiian/Other Pacific Islander", "Two or more races," "Some other race" (Census data only), "Unknown/Unable to determine" (AFCARS data only) and "Missing" race/ethnicity data (AFCARS data only).